

Notice of Allowability

Application No.

09/892,318

Examiner

Eleni A. Shiferaw

Applicant(s)

ABBURI ET AL.

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/28/2006.
2. ☒ The allowed claim(s) is/are 1, 3-11, 16-17 and 20-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

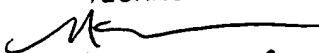
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/20/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



12/21/06

DETAILED ACTION

1. Appeal-brief has been filed on September 28, 2006. Telephone interview has been made with Jerome G. Schaefer on December 20, 2006 to amend the claim limitations to particularly point out the invention. The examiner has been authorized to amend the abstract and claims limitations as follows below. Based on the interview, Examiner's amendment has been made for independent claims 1, 12, 17, and 24 and claims 12-15 has been canceled.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jerome G. Schaefer on December 20, 2006.

2. This abstract will replace the prior versions of all abstracts.

An enforcement architecture and method for implementing roaming digital rights management are disclosed. A license distributed from a license server to a computing device of a user may be uploaded to a license synchronization server, and rebound to other devices registered with the service, thereby enabling access to the licensed content from other computing devices. A second digital license of a second computing device is set to expire prior to a first digital license of a first computing device. Reactivating a decayed first digital license, that is

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deactivated during transmission of the second digital license, to the second device to access content of the first computing device.

3. Claims 1, 17, and 24 are amended and claims 12-15 are canceled as follows:

1. (Currently Amended) A method of enabling the use of a digital license on a plurality of devices, said digital license permitting the use of a content item and being bound to a first of said plurality of devices by a first public/private key pair associated with said first device, said method comprising:

receiving a first digital license from said first device, said first digital license associated with a first expiration date;

receiving a second public/private key pair associated with a second of said plurality of devices, said second key pair being different from said first key pair;

creating a second digital license bound to said second device using said second key pair, said second digital license being based on said first digital license, wherein said second digital license is set to expire prior to said first expiration date on a second expiration date;

disabling said first digital license;

transmitting said second digital license to said second device;

deactivating said second digital license past said second expiration date, and wherein failure of said second device to contact a license synchronization server prior to said second expiration date results in removal of said second device from a registration store on said license synchronization server; and

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~~transmitting said second digital license to said second device;~~
reactivating said first digital license to said first device and accessing digital content through said first device using said reactivated first digital license.

12. (Canceled)

14. (Canceled)

15. (Canceled)

17. (Currently Amended) A method of enabling the use of a first digital license on a plurality of devices, said first digital license having a first expiration date and permitting the use of a content item and being bound to a first of said plurality of devices by a first public/private key pair associated with said first device, said method comprising:

sending, to a license synchronization server, a second public/private key pair associated with a second of said plurality of devices, said second key pair being different from said first key pair; and

receiving, from said license synchronization server, a second digital license bound to said second device by said second key pair, said second digital license being based on said first digital license, wherein said second digital license has a second expiration date is set to expire before said first digital license, and wherein failure of said second device to contact a license synchronization server prior to said second expiration date results in removal of said second device from a registration store on said license synchronization server;

disabling said first digital license;

decaying said second digital license into expiration; and
reactivating said first digital license to said first device and accessing said content item
through said first device using said reactivated first digital license.

24. (Amended) A system for roaming a digital license to a plurality of computing devices comprising:

a receiving module which receives over a computer network:

from a first of said plurality of computing devices, a first digital license which permits the use of a content item and is bound to said first of said plurality of computing devices by a first public/private key pair associated with said first of said plurality of computing devices;
and

a second public/private key pair associated with a second of said plurality of computing devices different from said first of said plurality of computing devices, said second key pair being different from said first key pair;

a license-rewriting module which uses said second key pair to create a second digital license based on said first digital license, said second digital license being bound to said second device, said second digital license expiring before said first digital license;

a license synchronization server having a transmitting module for transmitting said
second digital license to said second device, said server also disabling said first digital license
in said first device, wherein failure of said second device to contact a the license
synchronization server prior to expiration of said second digital license ~~said second expiration~~

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date results in removal of said second device from a registration store on said license synchronization server; and

a user interface wherein said first digital license is reactivated to said first device such that said content item is accessed through said first device using said reactivated first digital license.

~~a transmitting module for transmitting said second license to said second device.~~

Allowable Subject Matter

5. Claims 1,3-11,16-17 and 20-26 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1, 17, and 24: Prior art of record neither alone nor in combination teach a method/system of enabling the use of a digital license on a plurality of devices, said digital license permitting the use of a content item and being bound to a first of said plurality of devices by a first public-private key pair associated with said first device, said the method comprising the second digital license of the second device that is based on the first digital license of the first device having an expiration date set to expire prior to the first digital license and when providing the second digital license to the second device deactivating the first digital license and reactivating the first digital license of the first device back when the second digital license expires.

Claims 3-11, 16, 20-23, and 25-26 are allowed because of dependency.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barber et al. USPN 5,390,297 discloses a license management method that allows licenses for a computer program to be available for use at each of a plurality of nodes of a network, and transfers a copy of a license from a node to another node and assigns and encrypts a unique identification to such transferred license, erases the originally provided license of the first node when transferring the copy to the second node. But fails to teach the second license having an expiration date less than the first license and reactivating the first license when the second license expires.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

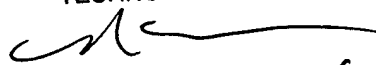
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E.S.

October 5, 2006

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12,21,06